



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	)	Before the Examiner
Boehm et al.	)	Anitza M. San Miguel
	)	
Application Serial No. 10/798,145	)	Group Art Unit 3733
	)	
Filed March 11, 2004	)	Ref. No.: MSDI-833
	)	
DEVICE AND METHOD FOR	)	April 6, 2007
LUMBAR INTERBODY FUSION	)	

## RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated December 19, 2006, please enter and consider the following amendments and remarks. A fee in the amount of \$120.00 is remitted herewith for a one (1) month extension of time, thereby extending the time period for responding to the non-final Office Action to April 19, 2007. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

April 6, 2007

Date of Deposit

Brad A. Schepers

Name of Registered Representative

Signature

April 6, 2007

Date of Signature

### **INTRODUCTORY COMMENTS**

Claims 16-19 were pending in the subject application for the non-final Office Action mailed on December 19, 2006. Each of pending claims 16-19 have been rejected on various grounds. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.